

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 5, 2023

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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

2023 APR -5 A 8: 56
CASE NO. PUR-2023-00029

For approval and certification of electric
transmission facilities: Possum Point 2nd
Transformer and New 230 kV Tie Line

ORDER FOR NOTICE AND COMMENT

On March 9, 2023, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Prince William County, Virginia. Dominion filed its Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 *et seq.*

Through its Application, the Company proposes to complete the following, which is collectively referred to as the "Project":

- Install a second 500-230 kilovolt ("kV") transformer bank at the Possum Point 500 kV Substation and perform associated bus work;
- Rebuild approximately 0.8 miles of existing 230 kV transmission Line #2078 between the Company's existing Possum Point 500 kV and 230 kV Substations within an existing corridor on Company-owned property, in order to utilize the existing corridor to accommodate a second circuit following the addition of a 500-230 kV transformer bank at the Possum Point 500 kV Substation;
- Install approximately 0.95 miles of a new 230 kV transmission line, Line #2216, between the Company's existing Possum Point 500 kV and 230 kV Substations along the majority of the Line #2078 corridor and primarily collocated with the Line #2078 structures, with three new structures on Company-owned property in a new approximately 0.29-mile corridor adjacent to the existing Possum Point 500 kV Substation;
- Install a circuit breaker and line terminal equipment at the Possum Point 230 kV Substation; and

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- Install two new structures to raise Lines #215/#2001 and Lines #237/#2022 to provide clearance for Line #2078 and Line #2216.¹

According to the Application, Dominion proposes the Project to ensure continued provision of reliable electric transmission service consistent with the Company's obligation under Virginia law to serve retail electric customers in its exclusive service territory.² The Company asserts that the Project area is typically one of the fastest growing areas in the Company's service territory, with a large portion of this load growth being driven by data center development.³

The Company states that the proposed 0.95 miles of a new 230 kV transmission line will be primarily collocated with the existing Line #2078 structures.⁴ The proposed new transmission line will require three new structures located on Company-owned property in a proposed new approximately 0.29-mile corridor adjacent to the existing Possum Point 500 kV Substation.⁵ The Company asserts that because Company-owned property is adequate to construct the proposed Project, no new property or right-of-way is necessary.⁶

The Company states that the desired in-service date for the proposed Project is November 30, 2025.⁷ The Company further states that the estimated conceptual cost of the

¹ Application at 2.

² *Id.* at 3.

³ *Id.*

⁴ *Id.* at 3-4.

⁵ *Id.*

⁶ *Id.* at 4.

⁷ *Id.* at 4. Dominion requests that the Commission enter a final order by May 1, 2024. *Id.* The Company states that, should the Commission issue a final order by May 1, 2024, the Company estimates that construction should begin in July 2024 and be completed by the in-service target date of November 30, 2025. *Id.*

proposed Project (in 2022 dollars) is approximately \$31.5 million, which includes \$8.0 million for transmission-related work and \$23.5 million for substation-related work.⁸

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board ("Board") consult on wetland impacts prior to the siting of electric utility facilities that require a certificate of public convenience and necessity. Acting on behalf of the Board, the Department of Environmental Quality ("DEQ") must prepare a Wetland Impacts Consultation on this Application, as required by the Code and Sections 2 and 3 of the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts (July 2003).⁹ The Staff of the Commission ("Staff") has requested the Office of Wetlands & Stream Protection at the DEQ to provide a Wetland Impacts Consultation for the proposed Project.¹⁰

As provided by Code §§ 10.1-1186.2:1 B and 56-46.1 A, the Commission and the DEQ coordinate reviews of the environmental impact of electric generating plants and associated facilities. Pursuant to the Code and consistent with the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Coordination of Reviews of the Environmental Impacts of Proposed Electric Generating Plants and Associated Facilities (August 2002),¹¹ the Commission receives and considers reports on the proposed

⁸ *Id.*

⁹ *In re Receiving comments on a draft memorandum of agreement between the State Water Control Board and the State Corporation Commission*, Case No. PUE-2003-00114, 2003 S.C.C. Ann. Rept. 474, Order Distributing Memorandum of Agreement (July 30, 2003).

¹⁰ Letter from Michael J. Zielinski, Esquire, State Corporation Commission, dated March 20, 2023, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2023-00029.

¹¹ *In re Receiving comments on a draft memorandum of agreement between the Department of Environmental Quality and the State Corporation Commission*, Case No. PUE-2002-00315, 2002 S.C.C. Ann. Rept. 559, Order Distributing Memorandum of Agreement (Aug. 14, 2002).

facilities from state environmental agencies. The Staff has requested the DEQ to coordinate an environmental review of this Application by the appropriate agencies and to provide a report on the review.¹²

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; Dominion should provide public notice of its Application; interested persons should have an opportunity to file comments on the Application, file a notice of participation as a respondent, or request that a hearing be convened; Staff should be directed to investigate the Application and present its findings and recommendations in a report ("Staff Report"); and a Hearing Examiner should be assigned to conduct all further proceedings in this matter and file a final report.

To promote administrative efficiency and timely service of filings upon participants, the Commission will, among other things, direct the electronic filing of testimony and pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2023-00029.
- (2) All pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice").¹³ Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply

¹² Letter from Michael J. Zielinski, Esquire, State Corporation Commission, dated March 20, 2023, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2023-00029.

¹³ 5 VAC 5-20-10 *et seq.*

with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, all parties and Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or Staff is impeded from preparing its case.

(4) As provided by § 12.1-31 of the Code and Rule 5 VAC 5-20-120, *Procedure before Hearing Examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter and to file a final report. A copy of each filing made with the Office of the Clerk in this matter shall also be sent electronically to the Office of the Hearing Examiners.¹⁴

(5) An electronic copy of the Company's Application may be obtained by submitting a written request to counsel for the Company, Andrew Flavin, Troutman Pepper Hamilton Sanders LLP, 1001 Haxall Point, Richmond Virginia, 23219, andy.flavin@troutman.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

¹⁴ Such electronic copies shall be sent to: Wendy.Starkey@scc.virginia.gov, LeaAnn.Robertson@scc.virginia.gov, and Kaitlyn.Mcclure@scc.virginia.gov.

(6) On or before April 28, 2023, the Company shall cause to be sent by first class mail a copy of the notice and sketch map prescribed in Ordering Paragraph (7) to all owners of property within the route of the proposed Project, as of the date of this Order and as indicated on the map or sketch of the route filed with the Commission, which requirement shall be satisfied by mailing to such persons at such addresses as are indicated in the land books maintained by the commissioner of revenue, director of finance, treasurer, or other officer of the county or municipality designated as provided by Code § 58.1-3100 *et seq.*

(7) On or before April 28, 2023, the Company shall cause the following notice and the sketch map of the proposed route, as shown on page 191 of the Appendix to the Application, to be published as display advertising (not classified) on one (1) occasion in newspapers of general circulation in Prince William County, Virginia:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
VIRGINIA ELECTRIC AND POWER COMPANY
FOR APPROVAL AND CERTIFICATION OF ELECTRIC
TRANSMISSION FACILITIES:
POSSUM POINT 2ND
TRANSFORMER AND NEW 230 KV TIE LINE
CASE NO. PUR-2023-00029

On March 9, 2023, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Prince William County, Virginia. Dominion filed its Application pursuant to § 56 46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56 265.1 *et seq.*

Through its Application, the Company proposes to complete the following, which is collectively referred to as the "Project":

- Install a second 500-230 kilovolt ("kV") transformer bank at the Possum Point 500 kV Substation and perform associated bus work;

- Rebuild approximately 0.8 miles of existing 230 kV transmission Line #2078 between the Company's existing Possum Point 500 kV and 230 kV Substations within an existing corridor on Company-owned property, in order to utilize the existing corridor to accommodate a second circuit following the addition of a 500-230 kV transformer bank at the Possum Point 500 kV Substation;

- Install approximately 0.95 miles of a new 230 kV transmission line, Line #2216, between the Company's existing Possum Point 500 kV and 230 kV Substations along the majority of the Line #2078 corridor and primarily collocated with the Line #2078 structures, with three new structures on Company-owned property in a new approximately 0.29-mile corridor adjacent to the existing Possum Point 500 kV Substation;

- Install a circuit breaker and line terminal equipment at the Possum Point 230 kV Substation; and

- Install two new structures to raise Lines #215/#2001 and Lines #237/#2022 to provide clearance for Line #2078 and Line #2216.

According to the Application, Dominion proposes the Project to ensure continued provision of reliable electric transmission service consistent with the Company's obligation under Virginia law to serve retail electric customers in its exclusive service territory. The Company asserts that the Project area is typically one of the fastest growing areas in the Company's service territory, with a large portion of this load growth being driven by data center development.

The Company states that the proposed 0.95 miles of a new 230 kV transmission line will be primarily collocated with the existing Line #2078 structures. The proposed new transmission line will require three new structures located on Company-owned property in a proposed new approximately 0.29-mile corridor adjacent to the existing Possum Point 500 kV Substation. The Company asserts that because Company-owned property is adequate to construct the proposed Project, no new property or right-of-way is necessary.

The Company states that the desired in-service date for the proposed Project is November 30, 2025. The Company further states that the estimated conceptual cost of the proposed Project (in 2022 dollars) is approximately \$31.5 million, which includes

\$8.0 million for transmission related work and \$23.5 million for substation-related work.

Description of the Route

The proposed route for the Project is approximately 0.8 miles of existing transmission line corridor currently occupied by the existing 230 kV transmission Line #2078. The new line, Line #2216, will be located adjacent to the majority of the Line #2078 corridor and primarily collocated with the Line #2078 structures. Where Line #2216 deviates from Line #2078 to extend into the northern side of the Possum Point 500 kV substation, an additional 0.29 miles of new transmission line (Line #2216) will be required.

The total length of the proposed Project corridor is approximately 0.95 miles. The route is entirely within Prince William County. The Project originates at the Possum Point 230 kV Substation located off Possum Point Road. From the Possum Point Substation, the route heads west to exit the substation, across the RF&P railroad, and turns north. The route continues north for approximately 0.8 miles and enters the Possum Point 500 kV Substation from the northeast. Line #2078 does not cross any roads.

For the overall Project, the minimum structure height is approximately 55 feet, the maximum structure height is approximately 120 feet, and the average structure height is approximately 101 feet, based on preliminary conceptual design, not including foundation reveal and subject to change based on final engineering design.

All distances, heights, and directions are approximate. A sketch map of the proposal accompanies this notice. A more detailed map may be viewed on the Commission's website: scc.virginia.gov/pages/Transmission-Line-Projects. A more complete description of the proposed Project may also be found in the Company's Application.

The Commission may consider a route not significantly different from the route described in this notice without additional notice to the public.

To promote administrative efficiency and timely service of filings upon participants, the Commission has directed the electronic filing of testimony and pleadings, unless they contain

confidential information, and required electronic service on parties to this proceeding. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

Electronic copies of the Application and other supporting materials may be inspected at: www.dominionenergy.com/possumpointsubs. An electronic copy of the Company's Application also may be obtained by submitting a written request to counsel for the Company: Andrew Flavin, Troutman Pepper Hamilton Sanders LLP, 1001 Haxall Point, Richmond Virginia, 23219, andy.flavin@troutman.com.

On or before August 15, 2023, any interested person may submit comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments with the Clerk of the State Corporation Commission c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All such comments shall refer to Case No. PUR-2023-00029.

On or before June 9, 2023, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a

respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2023-00029.

On or before August 1, 2023, any interested person or entity may file with the Clerk of the Commission at: scc.virginia.gov/clk/efiling, a request that the Commission convene a hearing on the Company's Application. Those unable, as a practical matter, to file a request for hearing electronically may file such request for hearing by U.S. mail to the Clerk of the Commission at the address listed above. Such request for hearing shall include the email address of the filer or its counsel, if available. Requests for hearing must include: (i) a precise statement of the filing party's interest in the proceeding; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in this matter. The interested person shall simultaneously serve a copy of the hearing request on counsel to the Company at the address set forth above. All requests for a hearing shall refer to Case No. PUR-2023-00029.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Comment, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The Company's Application and other documents filed in this case, the Commission's Rules of Practice, and the Commission's Order for Notice and Comment may be viewed on the Commission's website at: scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY

(8) On or before April 28, 2023, the Company shall serve a copy of this Order for Notice and Comment on the following local officials, to the extent the position exists, in each county, city, and town through which the Project is proposed to be built: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent official) of every city and town; and the county, city, or town attorney. Service shall be made electronically where possible; if

electronic service is not possible, service shall be made by either personal delivery or first class mail to the customary place of business or residence of the person served.¹⁵

(9) On or before May 12, 2023, the Company shall file proof of the notice and service required by Ordering Paragraphs (7) and (8), including the name, title, address, and electronic mail address (if applicable) of each official served, with the Clerk of the Commission, at scc.virginia.gov/clk/efiling/.

(10) On or before May 12, 2023, the Company shall file with the Clerk of the Commission a certificate of the mailing of notice to owners of property prescribed by Ordering Paragraph (6). The certificate shall not include the names and addresses of the owners of property served, but the Company shall maintain a record of such information.

(11) On or before August 15, 2023, any interested person may file comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to file comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2023-00029.

(12) On or before June 9, 2023, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address

¹⁵ In addition to the Commission's April 1, 2020, Order in Case No. CLK-2020-00007 (*see* n.17, *supra*), *see also* *Petition of Virginia Electric and Power Company, For a continuing waiver of 20 VAC 5-201-10 J of the Rules Governing Utility Rate Applications and Annual Informational Filings to permit electronic service to local officials upon request*, Case No. PUE-2016-00039, Doc. Con. Cen. No. 160420194, Order (Apr. 19, 2016).

listed in Ordering Paragraph (11). Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2023-00029.

(13) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve a copy of the Application on the respondent, unless these materials already have been provided to the respondent.

(14) On or before August 1, 2023, any interested person or entity may file with the Clerk of the Commission at: scc.virginia.gov/clk/efiling, a request that the Commission convene a hearing on the Company's Application. Those unable, as a practical matter, to file a request for hearing electronically may file such request for hearing by U.S. mail to the Clerk of the Commission at the address in Ordering Paragraph (11). Such request for hearing shall include the email address of the filer or its counsel, if available. Requests for hearing must include: (i) a precise statement of the filing party's interest in the proceeding; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in this matter. A copy of such hearing request shall simultaneously be served on counsel to the Company at the address set

forth in Ordering Paragraph (5). All requests for a hearing shall refer to Case No. PUR-2023-00029.

(15) On or before August 15, 2023, Dominion shall file with the Clerk of the Commission its response to any request for hearing filed in this matter. The Company shall serve a copy of such response on Staff, any respondents, and the interested person or entity requesting a hearing.

(16) On or before September 1, 2023, Staff shall investigate the Application and file with the Clerk of the Commission a Staff Report containing its findings and recommendations. A copy thereof shall be served on counsel to the Company and all respondents.

(17) On or before September 15, 2023, Dominion shall file with the Clerk of the Commission and serve on the Staff and any respondents any response in rebuttal to the Staff Report and any comments filed by interested persons or entities, including DEQ, in this proceeding. The Company shall serve a copy of its rebuttal testimony and exhibits on Staff and all respondents.

(18) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(19) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed

with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to Staff.¹⁶ Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(20) This matter is continued.

Commissioner Patricia L. West participated in this matter.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

¹⁶ The assigned Staff attorney is identified on the Commission's website, scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2023-00029 in the appropriate box.